

Ian P. Fellerman (SBN 119725)  
 Email: ifellerman@reedsmith.com  
 REED SMITH LLP  
 1999 Harrison Street, Suite 2400  
 Oakland, CA 94612-3572

**Mailing Address:**  
 P.O. Box 2084  
 Oakland, CA 94604-2084

Telephone: 510.763.2000  
 Facsimile: 510.273.8832

Attorneys for Defendant  
 PODS, Inc.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

ISAAC TANNER,

Plaintiff,

vs.

PODS, INC., et al.,

Defendants.

Case No. C07-02392 JL

**[PROPOSED] ORDER GRANTING  
 DEFENDANT'S MOTION FOR  
 SANCTIONS**

Date: September 26, 2007  
 Time: 9:30 a.m.  
 Courtroom: F

Hon. James Larson

Defendant's motion for sanctions came on regularly for hearing in Courtroom F of the above-referenced Court, Chief Magistrate Judge James Larson presiding. Plaintiff and Defendant appeared through their respective counsel of record. For good cause shown, it is hereby ordered that Defendant's motion for sanctions is granted. Plaintiff and his counsel, M. Van Smith, are hereby ordered to pay Defendant \$\_\_\_\_\_ on or before October \_\_\_\_, 2007.

DATED: September \_\_\_\_, 2007

Hon. James Larson  
 United States District Court Chief Magistrate Judge

1 **PROOF OF SERVICE**

2

3 I am a resident of the State of California, over the age of eighteen years, and not a

4 party to the within action. My business address is REED SMITH LLP, 1999 Harrison Street,

5 Suite 2400, Oakland, CA 94612-3572. On August 16, 2007, I served the following document(s)

6 by the method indicated below:

7 **[PROPOSED] ORDER GRANTING DEFENDANT'S MOTION FOR SANCTIONS**

- 8
- 9 ☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully
- 10 prepaid, in the United States mail at Oakland, California, addressed as set forth below. I am
- 11 readily familiar with the firm's practice of collection and processing of correspondence for
- 12 mailing. Under that practice, it would be deposited with the U.S. Postal Service on that
- 13 same day with postage thereon fully prepaid in the ordinary course of business. I am aware
- 14 that on motion of the party served, service is presumed invalid if the postal cancellation date
- 15 or postage meter date is more than one day after the date of deposit for mailing in this
- 16 Declaration.

17

18 M. Van Smith

19 1696 Mendenhall Drive

20 San Jose, CA 95130

21 (408) 364-1062 (T)

22 (408) 273-6496 (F)

23

24 I declare under penalty of perjury under the laws of the State of California that the

25 above is true and correct. Executed on August 16, 2007, at Oakland, California.

26

27  Kathy Jenkins

28